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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,248	12/06/2001	Jean-Marie Blanchard	21065/0160	4517

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EXAMINER

GARCIA, ERNESTO

ART UNIT	PAPER NUMBER
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3679

DATE MAILED: 03/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application N .

10/003,248

Applicant(s)

BLANCHARD, JEAN-MARIE

Examin r

Ernesto Garcia

Art Unit

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-- The MAILING DATE of this communication appears n the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2001 .
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6 is/are allowed.
- 6) ☒ Claim(s) 7-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 .
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____ .

DETAILED ACTION

Information Disclosure Statement

The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the examiner on form PTO-892 has cited the references, they have not been considered.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the free surface of the first part (5), the flange (12) bearing against the free surface of the first part (5) (claim 1), the balls acting on the retention means (claim 7), and the snap ring (17) retained by the unobstructed surface (82) of the surface of the second part (2, 9) claim 11 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: "retention means" (line 35 of claim 7), "means [of] for maintaining the piston in the released position" (claim 8), and, "means [of] for holding consists of a recessed shape" (claim 9).

The disclosure is objected to because of the following informalities: reference character 25 has inconsistent descriptions; on page 10 in line 31, 25 is defined as a lower end section; on page 11 in line 1, 25 is defined as a toroidal zone; and claim 6 defines 25 as a recess; and, reference character (28) has inconsistent names. In line 22 of page 14, 28 is an upper end, claim 5 defines 28 as a "far end" and claim 11 defines 28 as a protruding end; character 9 has been inconsistently defined as a "surface" in claim 11 in line 7 and a "second part" in claim 1 in line 2; and, reference character 82 has been defined as a "free surface" in line 20 of claim 1 and an "obstructed surface" in line 7 of claim 11. Appropriate correction is required.

Claim Objections

Claims 1-10 are objected to because of the following informalities:

regarding claim 1, the limitation "the" in line 9 should be --a--; the first occurrence of "the" in line 9 should be --a--; "the" in line 19 should be --a--; "the said" in line 22 should be --a--; "said" in line 24 should be deleted; ---retaining---should be inserted after "lateral"; "the" in lines 25 and 26 should be --an--; the colloquial language, "on the one hand" and "the other hand" in lines 20-24 should not be used, and "said" in line 29 should be deleted;

regarding claim 3, the limitation "it" in line 2 should be --the system--;
"said" in line 3 should be deleted;

regarding claim 4, a comma should be inserted after "(12)" in line 4; and, "said lug(s)" in line 5 should be --one or more lugs--;

regarding claim 5, the limitation "of" in line 4 should be --for--; and "its' in line 6 should be ---the--;

regarding claim 6, the limitation the first occurrence of "the" in lines 2 and 7 should be --a-- ; "they" in line 4 should be ---the balls--; "said" in lines 5 and 8 should be deleted;

regarding claim 7, "type" in line 1 should be deleted; "said" in lines 9, 11, 16, 27 and 29 should be deleted; the limitation "characterized in that, in order to be used for an assembly system in accordance with one of claim 1 to 6:" in lines 12-13 should be

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deleted; "it" in line 19 should be --the body--; "they" in lines 24 and 34 should be --the balls--; "the" in line 32 should be --a--; "the said" in line 34 should be --a--;

regarding claim 8, "of" in line 3 should be ---for--; and, --the-- should be inserted after "by" in line 4;

regarding claim 9, "said" in lines 2 and 5 should be deleted; "the" in line 3 should be --an--; and, the first occurrence of "the" in line 4 should be --a--;

regarding claim 10, the limitation "piston" in line 2 should be deleted; and,

regarding claim 11, the first occurrence of "the" in line 5 should be --a--; and +
Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 7-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 7, the limitation "under which" in line 14 is unclear what the flange is under. Furthermore, it is unclear what the "retention means" in line 34 comprises of. The specification fails to discuss the retention means.

Regarding claim 8, it is unclear what the “means [of] for maintaining the piston in the released position comprises of. The specification fails to discuss “means for maintaining”.

Regarding claim 9, the limitation “means [of] for holding” in line 2 is unclear whether the means is another means, the means for maintaining in claim 8, or the retentions means. The specification fails to discuss “means [of] for holding the piston”

Regarding claim 10, the claim depends from claim 7 and therefore is indefinite.

Regarding claim 11, when claim 11 depends from claim 5, it is unclear whether the limitation “the protruding end (28)” is a different feature than the “far end (28)” in line 3 of claim 5 or the same feature.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 7 is rejected under 35 U.S.C. 102(b) as being anticipated by Schott, 4,616,952.

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Regarding claim 7, Schott discloses in Figure 1A a ball-locking attaching device comprising a lock body 1, a spring thrust element 2, and a snap ring 3. The body 1 comprises a central bore A23, an annular wall A24, a locking piston 10, and radial balls 5. The annular wall A24 features holes 13. The snap ring 3 encircles the body 1 around the holes 13. The body 1 features a flange A8. The spring thrust element 2 is retained axially by the snap ring 3. The piston 10 has a piston head A12 suitably shaped. The piston head A12 features a lateral retaining surface A14 cooperating with the balls 5 and displaying a gradient in a contact zone of each of the balls 5.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schott, 4,616,952, in view of DePew et al., 3,233,496.

Regarding claim 10, Schott, as discussed above, fails to disclose the lateral retaining surface A14 is a retaining surface with a large diameter situated beyond the

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balls 5. DePew teaches in Figure 2 a retention surface (next to 34) being a tapered surface of a piston head 35 with a large diameter situated beyond ball 29 to push out the balls outwardly. Therefore, as taught by DePew, it would have been obvious to one of ordinary skill in the art at the time the invention was made to make the lateral retaining surface be a tapered surface to push the ball outwardly during connection.

Allowable Subject Matter

Claims 1-6 are allowed.

Claims 8-11 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

regarding claim 1, the prior art of record does not disclose an improvement comprising a flange of a lock body bearing against a free surface of a first part;

regarding claims 2-6, these claims depend from claim 1; and,

regarding claim 11, these claims depend from claim 8 or claim 9.

Conclusion

The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ferreol-Ragotin shows a retention surface being a tapered surface. Chabanne et al., Blanchard, Harry, Nasu, Geisthoff et al., Stillwagon show a similar snap ring.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ernesto Garcia whose telephone number is 703-308-8606. The examiner can normally be reached from 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H Browne can be reached on 703-308-1159. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-2168.


Lynne H. Browne
Supervisory Patent Examiner
Technology Center 3600

E.G.

March 18, 2003

Attachment: one marked-up copy of Schott et al., 4,616,952.

4,616,952

